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Request for the inclusion of an additional item in the agenda of the sixtieth session

Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Note by the Secretary-General

1. By his letters to the General Assembly and Security Council dated 14 September 2005, the Secretary-General requested both the Council and the Assembly to authorize the assignment of Judge Christine Van Den Wyngaert to serve as of 3 October 2005 on the *Mrskic et al.* case before the International Tribunal.

2. Judge Van Den Wyngaert's term of office as a member of the pool of ad litem judges had come to an end on 11 June 2005. She was authorized, however, by Security Council resolution 1581 (2005) and by a decision of the General Assembly taken at its 80th plenary meeting, on 20 January 2005, to continue her functions as an ad litem judge in the *Limaj* case beyond that date. On 19 November 2004, Judge Van Den Wyngaert had been elected a permanent judge of the International Tribunal with a term beginning on 17 November 2005.

3. Consequently, the approval of the Security Council and the General Assembly is needed to allow Judge Van Den Wyngaert to serve as of 3 October 2005 on the *Mrksic* case given that she has been authorized to continue her functions only as an ad litem judge in the *Limaj* case and that she will begin her elected four-year term as a permanent judge of the International Tribunal only on 17 November 2005.

4. In order for the General Assembly to consider the above-mentioned matter, the Secretary-General has the honour, pursuant to rule 15 of the rules of procedure of the General Assembly, to request the inclusion in the agenda of the sixtieth session of an additional item of an important and urgent character entitled "Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991". The Secretary-General requests that the item be considered directly in plenary meeting.

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